

## PENDING CLAIMS AS AMENDED

Please amend the claims as follows:

1. (original) A method comprising steps of:  
supplying a sequence of code symbols to a rate decision block;  
said rate decision block determining a plurality of frame energies for said sequence of code symbols, each of said plurality of frame energies corresponding to one of a plurality of tentative frame rates;  
said rate decision block determining at least one final frame rate when said plurality of frame energies meet a desired condition.
2. (original) The method of claim 1 wherein said supplying step is performed by a Viterbi decoder.
3. (original) The method of claim 1 wherein each of said plurality of tentative frame rates is selected from the group consisting of a full rate, a half rate, a quarter rate, and an eighth rate.
4. (original) The method of claim 1 wherein said final frame rate is selected from the group consisting of a zero rate, a non-zero rate, a full rate, a half rate, a quarter rate, and an eighth rate.
5. (original) The method of claim 1 wherein said rate decision block determines said at least one final frame rate when said plurality of frame energies and a pilot channel energy meet said desired condition.
6. (original) The method of claim 1 wherein said desired condition indicates whether a combination of said plurality of frame energies exceeds a threshold energy.

7. (currently amended) The method of claim 6 wherein said combination of said plurality of frame energies comprises obtaining respective results of multiplications of each one of said plurality of frame energies by respective parameters and adding said respective results.

8. (original) The method of claim 1 wherein said desired condition indicates whether a combination of said plurality of frame energies and a pilot channel energy exceed a threshold energy.

9. (currently amended) The method of claim 8 wherein said combination of said plurality of frame energies and said pilot channel energy comprises obtaining respective results of multiplications of each one of said plurality of frame energies and said pilot channel energy by respective parameters and adding said respective results.

10. (original) A method comprising steps of:  
receiving a sequence of code symbols;  
determining a plurality of CRC values for said sequence of code symbols, each of said plurality of CRC values corresponding to one of a plurality of tentative frame rates;  
determining a plurality of Yamamoto quality values for said sequence of code symbols, each of said plurality of Yamamoto quality values corresponding to one of said plurality of tentative frame rates;  
determining a plurality of re-encoded symbol error rates for said sequence of code symbols, each of said plurality of re-encoded symbol error rates corresponding to one of said plurality of tentative frame rates;  
determining a plurality of frame energies for said sequence of code symbols, each of said plurality of frame energies corresponding to one of said plurality of tentative frame rates;  
determining a final frame rate of said sequence of code symbols based on said plurality of CRC values, said plurality of Yamamoto quality values, said plurality of re-encoded symbol error rates, and said plurality of frame energies.

11. (original) The method of claim 10 wherein said sequence of code symbols are supplied by a Viterbi decoder.

12. (original) The method of claim 10 wherein each of said plurality of tentative frame rates is selected from the group consisting of a full rate, a half rate, a quarter rate, and an eighth rate.

13. (original) The method of claim 10 wherein said final frame rate is selected from the group consisting of a zero rate, a non-zero rate, a full rate, a half rate, a quarter rate, and an eighth rate.

14. (original) A method comprising steps of:  
receiving a sequence of code symbols;  
determining a plurality of CRC values for said sequence of code symbols, each of said plurality of CRC values corresponding to one of a plurality of tentative frame rates;  
determining a plurality of frame energies for said sequence of code symbols, each of said plurality of frame energies corresponding to one of said plurality of tentative frame rates;  
determining a final frame rate of said sequence of code symbols based on said plurality of CRC values and said plurality of frame energies.

15. (original) The method of claim 14 wherein said sequence of code symbols are supplied by a Viterbi decoder.

16. (original) The method of claim 14 wherein each of said plurality of tentative frame rates is selected from the group consisting of a full rate, a half rate, a quarter rate, and an eighth rate.

17. (original) The method of claim 14 wherein said final frame rate is selected from the group consisting of a zero rate, a non-zero rate, a full rate, a half rate, a quarter rate, and an eighth rate.

18. (original) A method comprising steps of:  
receiving a sequence of code symbols;  
determining a plurality of Yamamoto quality values for said sequence of code symbols,  
each of said plurality of Yamamoto quality values corresponding to one of a plurality of tentative frame rates;  
determining a plurality of frame energies for said sequence of code symbols, each of said plurality of frame energies corresponding to one of said plurality of tentative frame rates;  
determining a final frame rate of said sequence of code symbols based on said plurality of Yamamoto quality values and said plurality of frame energies.

19. (original) The method of claim 18 wherein said sequence of code symbols are supplied by a Viterbi decoder.

20. (original) The method of claim 18 wherein each of said plurality of tentative frame rates is selected from the group consisting of a full rate, a half rate, a quarter rate, and an eighth rate.

21. (original) The method of claim 18 wherein said final frame rate is selected from the group consisting of a zero rate, a non-zero rate, a full rate, a half rate, a quarter rate, and an eighth rate.

22. (original) A method comprising steps of:  
receiving a sequence of code symbols;  
determining a plurality of re-encoded symbol error rates for said sequence of code symbols, each of said plurality of re-encoded symbol error rates corresponding to one of a plurality of tentative frame rates;  
determining a plurality of frame energies for said sequence of code symbols, each of said plurality of frame energies corresponding to one of said plurality of tentative frame rates;

determining a final frame rate of said sequence of code symbols based on said plurality of re-encoded symbol error rates and said plurality of frame energies.

23. (original) The method of claim 22 wherein said sequence of code symbols are supplied by a Viterbi decoder.

24. (original) The method of claim 22 wherein each of said plurality of tentative frame rates is selected from the group consisting of a full rate, a half rate, a quarter rate, and an eighth rate.

25. (original) The method of claim 22 wherein said final frame rate is selected from the group consisting of a zero rate, a non-zero rate, a full rate, a half rate, a quarter rate, and an eighth rate.

26. (original) A receiver comprising:  
a decoder configured to receive and decode a sequence of code symbols;  
a rate decision block coupled to an output of said decoder, said rate decision block configured to determine a plurality of frame energies for said sequence of code symbols, each of said plurality of frame energies corresponding to one of a plurality of tentative frame rates;  
said rate decision block further configured to determine at least one final frame rate when said plurality of frame energies meet a desired condition.

27. (original) The receiver of claim 26 wherein said decoder is a Viterbi decoder.

28. (original) The receiver of claim 26 wherein each of said plurality of tentative frame rates is selected from the group consisting of a full rate, a half rate, a quarter rate, and an eighth rate.

29. (original) The receiver of claim 26 wherein said final frame rate is selected from the group consisting of a zero rate, a non-zero rate, a full rate, a half rate, a quarter rate, and an eighth rate.

30. (original) The receiver of claim 26 wherein said rate decision block determines said at least one final frame rate when said plurality of frame energies and a pilot channel energy meet said desired condition.

31. (original) The receiver of claim 26 wherein said desired condition indicates whether a combination of said plurality of frame energies exceeds a threshold energy.

32. (currently amended) The receiver of claim 31 wherein said combination of said plurality of frame energies comprises obtaining respective results of multiplications of each one of said plurality of frame energies by respective parameters and adding said respective results.

33. (original) The receiver of claim 26 wherein said desired condition indicates whether a combination of said plurality of frame energies and a pilot channel energy exceed a threshold energy.

34. (currently amended) The method of claim 33 wherein said combination of said plurality of frame energies and said pilot channel energy comprises obtaining respective results of multiplications of each one of said plurality of frame energies and said pilot channel energy by respective parameters and adding said respective results.

---